

UNAPPROVED
MINUTES OF THE SPECIAL JOINT CITY COUNCIL,
ALAMEDA REUSE AND REDEVELOPMENT AUTHORITY (ARRA), AND
COMMUNITY IMPROVEMENT COMMISSION (CIC) MEETING
TUESDAY- -JUNE 28, 2011- -7:00 P.M.

Mayor/Chair Gilmore convened the meeting at 7:01 p.m. Councilmember/Board Member/Commissioner deHaan led the Pledge of Allegiance.

ROLL CALL – Present: Councilmembers/Board Members/Commissioners
Bonta, deHaan, Johnson, Tam and Mayor/Chair
Gilmore – 5.

[Note: Councilmember/Board Member/Commissioner Johnson arrived at 7:08 p.m.]

Absent: None.

ORAL COMMUNICATIONS, NON-AGENDA

(11-338 CC) Jennifer Solomon, Alameda, discussed finding stolen goods in an abandoned bike trailer.

(11-339 CC) Adam Gillitt, Alameda, discussed the Crown Memorial Beach drowning incident and budget.

(11-340 CC) Frances Montell, Alameda, discussed open political discourse.

CONSENT CALENDAR

Mayor/Chair Gilmore announced that the resolution [paragraph no. 11-342 CC] was removed from the Consent Calendar for discussion.

Councilmember/Board Member/Commissioner Tam moved approval of the remainder of the Consent Calendar.

Vice Mayor/Board Member/Commissioner Bonta seconded the motion, which carried by unanimous voice vote – 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*11-341 CC/11-053 ARRA/11-029 CIC) Minutes of the Special Joint City Council, ARRA and CIC Meetings of May 31, 2011; and the Regular ARRA Meeting of June 1, 2011. Approved.

(11-342 CC) Resolution No. 14580, "Approving the Purchase of a Replacement Disk

Storage Solution and Implementing Server Virtualization, at a Cost Not to Exceed \$230,000." Adopted

Councilmember Tam requested an explanation for the urgency to purchase a replacement disk storage solution.

The Information Technology Manager stated systems have been running on servers and the EMC Storage Area Network system for a number of years; storage has been depleted because of email growth and graphics; email is 90% full; messages cannot be retrieved when a server is out of disc space; disk space has not been increased over the last six years.

Councilmember Tam stated the staff report notes that the current system does not have the ability to recover lost information if the system crashes.

The Information Technology Manager stated system backups are stored on unreliable legacy magnetic tapes; multiple tapes are needed as disk space continues to grow; space is not available to hold all of the data.

Mayor Gilmore stated storage space is cheap; inquired why the Replacement Disk Storage Solution is so expensive.

The Information Technology Manager responded the Storage Area Network allows everyone to share data and provides fault tolerance.

Councilmember Johnson inquired whether the proposed storage platform is the best price.

The Information Technology Manager responded four proposals were submitted; stated Compellent, Dell's midrange system, is the fastest growing vendor in the industry; price is not the only issue; technology is important; Compellent provides options and provides more disk space for the money; Compellent uses 60% disk drive versus other vendors using 50%.

Councilmember deHaan inquired what type of on-going support would be needed.

The Information Technology Manager responded the vendor would provide a three-year warranty; stated training would be provided to allow staff management of many features.

Councilmember deHaan inquired whether a support contract would be needed, to which the Information Technology Manager responded definitely.

Vice Mayor Bonta inquired how long the City's needs would be met with the proposed

solution.

The Information Technology Manager responded staff assumed that the current solution would last ten years when purchased seven years ago; forecasting is very difficult and depends upon use; hopefully, the solution will last five to six years.

Councilmember Tam moved adoption of the resolution.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5.

AGENDA ITEM

(11-343 CC) Public Hearing to Establish the Proposition 4 (Appropriations) Limit for FY11-12 and Resolution No. 14581, “Establishing the Appropriations Limit for FY11-12.” Adopted;

(11-343A CC) Resolution No. 14582, “Approving and Adopting the Operating and Capital Budget for Fiscal Year 2011-2012.” Adopted;

(11-054 ARRA) Resolution No. 54, “Approving and Adopting the Operating and Capital Budget for Fiscal Year 2011-2012.” Adopted; and

(11-030 CIC) Resolution No. 11-182, “Approving and Adopting the Operating and Capital Budget for Fiscal Year 2011-2012.” Adopted.

(11-343B CC) Public Hearing to Consider Resolution No. 14583, “Amending Master Fee Resolution No. 12191 to Add and Revise Fees.” Adopted

The Controller gave a brief presentation on the Proposition 4 Limit.

Councilmember deHaan moved adoption of the Proposition 4 resolution.

Councilmember Tam seconded the motion.

A vote on the motion was held until after the budget resolutions [paragraph no. 11-343A CC, 11-054 ARRA, and 11-030 CIC] were discussed.

The Assistant City Manager and Controller gave a Power Point presentation on the operating and capital budget.

Mayor/Chair Gilmore stated staff would begin to work on next year’s budget in July; concepts should be brought to the public in the fall if significant services might be cut, such as the Animal Shelter; the public should have the opportunity to prioritize the nice to haves versus the need to haves; receiving input in January or February might be too late.

The Assistant City Manager stated getting information out sooner rather than later would be better.

Councilmember/Board Member/Commissioner Tam stated non-departmental expenditures grow from \$550,000 in 2010 to \$1.3 million for next year; the driver is not clear, other than ACAP.

The Assistant City Manager stated in previous years, the City owed the County money for property tax administration; the money was not budgeted; this year, \$221,000 has been budgeted; retiree vacation payouts were also not budgeted in the past.

Councilmember/Board Member/Commissioner Tam stated the Fire Department generates \$2 million in revenue; the Police Department generates \$1.3 million; inquired whether the Fire Department revenue is primarily generated from Fire Prevention Bureau services.

The Controller responded said revenue is primarily generated from ambulance transport services; stated Police Department revenue is generated from parking citations, traffic operations, patrol, court fines, and special grants.

Councilmember/Board Member/Commissioner Tam inquired whether Police Department costs \$2 million more but generates \$1 million less in revenue than the Fire Department.

The Assistant City Manager responded in the affirmative; stated the Police Department has fewer sworn staff.

Councilmember/Board Member/Commissioner Johnson stated the Police Department role is different than the Fire Department; the Police Department does not have the opportunity to generate revenue; the Fire Department would not generate revenue without ambulance services; inquired what type of contractual services would be eliminated and who would pick up the duties.

The Assistant City Manager responded it would depend upon the department; stated the City Manager's office has money for contractual services which has not been used because contracts have been ratcheted back for a variety of reasons.

Councilmember/Board Member/Commissioner Johnson stated the City should not put itself in a position of needing to hire extra staffing because of contractual services.

The Assistant City Manager stated part time staff performs a variety of duties; every department has money for contractual services; the budget has a City Manager contingency; money could be taken out of the non-departmental fund to pay for hiring a professional polling firm to poll for possible revenue measures.

Councilmember/Board Member/Commissioner Johnson inquired whether all non-sworn Fire Department staffing would be eliminated, to which the Assistant City Manager responded in the negative.

Councilmember/Board Member/Commissioner Johnson stated playground staffing should be kept if possible.

The Assistant City Manager stated the Recreation and Parks Department organizational changes are pretty deep; that she does not think the Recreation and Parks Department could still offer all programs and keep the sites; staff has reviewed reducing the number of special events in favor of keeping program sites; special events benefit the entire community; staff thinks that it would be better to put limited resources into special events and keep half of the free sites available; paid program sites are still available.

Councilmember/Board Member/Commissioner Johnson stated fee programs are great but do not accommodate the same children that are served by having free directors at the playground.

Mayor/Chair Gilmore inquired what type of police vehicles are leased, to which the Chief of Police responded undercover vehicles.

Mayor/Chair Gilmore stated the City has significantly improved its position with regard to workers compensation and risk management over the last two years.

The Controller stated a new section [R76 and R77] has been added to the budget which provides more detail for each fund; reserves need to be built for workers compensation and risk management.

In response to Mayor/Chair Gilmore's inquiry, the Controller stated the budget shows the workers compensation forecast for Fiscal Year 2011-2012 with an ending fund balance of approximately \$1.2 million; as of last year, the estimated workers compensation future liability is approximately \$6.2 million; the fund balance is only about 20% of what it should be; the fund was in the negative in Fiscal Year 2009-2010.

Mayor/Chair Gilmore inquired whether risk management works the same way, to which the Controller responded in the affirmative.

The Acting City Attorney/Legal Counsel stated the net negative has been on going for over six years.

Mayor/Chair Gilmore inquired whether workers compensation and risk management are part of cost allocation.

The Controller responded an estimate is made every year and allocated to each department; stated a temporary negative balance would result if claims come in higher; staff reviews the issue every year and cost allocations are adjusted.

Mayor/Chair Gilmore inquired whether adjustments have not been made for the last six years, to which the Acting City Attorney/Legal Counsel responded in the affirmative.

Vice Mayor/Board Member/Commissioner Bonta concurred with Councilmember/Board Member/Commissioner Johnson regarding having an early preview workshop in the fall; inquired whether any plans are being made to increase ambulance billing collection.

The Interim Fire Chief responded in the affirmative; stated that he cannot guarantee increased collection this year; staff has been working hard to improve record keeping.

The City Manager/Executive Director stated another inspection concept would be coming to Council, which could generate approximately \$100,000 per year.

Councilmember/Board Member/Commissioner deHaan stated a conscious decision has been made to lease big apparatus over the last two years; inquired whether support vehicles are purchased, to which the Interim Fire Chief responded in the affirmative.

Councilmember/Board Member/Commissioner deHaan stated procurement for the next two years is aggressive.

The Interim Fire Chief stated a report was provided several months ago outlining financing options; fire trucks and engines need to be replaced on a scheduled basis to avoid passing their useful life.

Councilmember/Board Member/Commissioner Johnson stated the former Interim Finance Director alerted Council to the workers compensation deficit; a policy needs to be established so that the same situation does not happen again.

The Controller stated having a fund with a deficit for one year is okay, but becomes a problem over multiple years.

Councilmember/Board Member/Commissioner Johnson stated a policy needs to be in place; a budget should not be balanced by not contributing to funds.

The Assistant City Manager stated a policy could be brought to Council.

Councilmember/Board Member/Commissioner deHaan stated Council wants to establish separate funding to build up revenue for vehicle replacement and workers compensation; getting away from leasing vehicles would be good.

The Assistant City Manager stated staff would bring back a policy for review in September; the vehicle replacement fund would be completely wiped out if expensive vehicles were purchased, not leased.

The Controller stated the terms of a lease would not exceed the useful life of the equipment.

Speakers: Barbara Kahn, Alameda; Honora Murphy, Alameda; Kate Quick, Alameda; George Phillips, Alameda; Rudy Rebago, Alameda; Robb Ratto, Park Street Business Association; Lois Pryor, Leslie Cameron, Bay Ship & Yacht; Mike Henneberry, Alameda; David Connolly, Alameda; Kathy Moehring, Alameda; Judi Friedman, West Alameda Business Association; Corinne Lambden, Alameda; Adam Gillitt, Alameda; Rosemary McNally, Alameda; Bruce Knopf, Alameda; and Alan Pryor, Alameda.

The Deputy City Manager gave a brief presentation on the Façade Grant.

Mayor/Chair Gilmore inquired whether there would be no guarantee for replenishment if the entire \$250,000 were budgeted; further inquired whether three years would be covered by lowering the amount spent annually, to which the Deputy City Manager responded three full years and a partial fourth year would be covered [at the proposed lower budget amount].

Mayor/Chair Gilmore stated twenty projects are cued up; only half would be funded by splitting the money; businesses have already paid designers and architects.

Councilmember/Board Member/Commissioner Johnson stated that she assumes the Chamber of Commerce and Greater Alameda Business Association are on the same page as other business associations; she supports accelerating the use of funds and continuing to look for funding sources.

The Deputy City Manager stated twenty projects could be funded with the \$250,000.

Mayor/Chair Gilmore stated the City has to put its best foot forward because of the heavy competition for the Lawrence Berkeley National Laboratory project.

The City Manager/Executive Director stated the economy is down and difficult right now; prices are lower; there are more than adequate reasons to accelerate funding.

The Deputy City Manager stated the issue could be revisited next year.

Mayor/Chair Gilmore stated that she is in favor of moving forward and getting through the projects in the cue.

Councilmember/Board Member/Commissioner deHaan inquired whether the \$250,000

is available now, to which the Deputy City Manager responded in the affirmative.

Councilmember/Board Member/Commissioner deHaan inquired whether projects in the cue would use most of the \$250,000.

The Deputy City Manager responded the money would cover fifteen to twenty projects; stated staff would pursue grants.

Vice Mayor/Board Member/Commissioner Bonta stated that he is supportive of taking advantage of lower costs; he is worried about the lack of on-going funding for the program; inquired how the program would continue.

The Deputy City Manager responded staff does not have a detailed plan; stated Fleet Industrial Supply Center (FISC) lease revenue funds that have been kept available in case something happens to the warehouses could be used.

Vice Mayor/Board Member/Commissioner Bonta inquired whether a finite time limit has always been assumed for the program.

The Deputy City Manager responded staff has always assumed that another funding solution would be needed.

The Assistant City Manager stated the program has always been successful and money has been well spent; staff is working on an alternative but cannot promise that a solution will be found down the road; the City does not have a lot of unrestricted funds.

Councilmember/Board Member/Commissioner Johnson stated the \$250,000 leverages a lot of money from the private sector; inquired how much money [for projects] comes from businesses and building owners.

The Deputy City Manager responded that she does have said information at this time but it would be provided.

Mayor/Chair Gilmore stated the she is hearing a consensus to go ahead and spend the money aggressively and try and take care of as many of projects in the cue as possible; provided direction to increase the façade grant program to \$250,000.

* * *

Councilmember/Board Member/Commissioner Tam left the dais at 9:00 p.m. and returned at 9:02

* * *

Councilmember/Board Member/Commissioner deHaan stated Alameda's reserves are at the lower end compared to other cities.

The Controller stated Alameda has a fair amount of reserves; however, the chart indicates that the City has a long way to go.

Councilmember/Board Member/Commissioner deHaan stated Other Post Employment Benefits (OPEB) have increased ten percent over the last year; inquired whether said increase is noted in the budget.

The Controller responded page A-1 notes contributions; stated contributions jump from \$2.3 million in Fiscal Year 2010-2011 to \$2.7 million in Fiscal Year 2011-2012 and to \$3 million in Fiscal Year 2012-2013.

Councilmember/Board Member/Commissioner deHaan stated that he has yet to see one-time dollars being used at such a high rate.

The Controller stated the City has a significant deficit issue; trying to do all the cuts in one year would be dramatic; one time revenues and a small portion of reserves would be used.

The Assistant City Manager stated that she requested five and ten percent cuts Citywide; the community has not had an opportunity to provide input regarding cuts; using one time sources would provide a method of transitioning to a lower level of service while planning more appropriately for the future.

The Controller stated staff has been upfront regarding using one time funds; a five-year forecast has been provided; the deficit jumps so much in Fiscal Year 2013 because one time funds would not be available in 2013.

Councilmember/Board Member/Commissioner deHaan stated the City threshold of having 20% in reserves would erode by next year; that he does not see the economy changing quickly; opening up the next budget dialogue needs to be done soon; the estimated increase in revenue for Fiscal Year 2012-2013 is 1% and expenses are 1.3%, which is not in character with past budgets.

The Controller stated the reason for the small revenue increase is primarily due to property taxes; foreclosures are still happening; the property tax increase would be minimal.

Councilmember/Board Member/Commissioner Tam stated that she disagrees with Councilmember/Board Member/Commissioner deHaan; commended staff for fixing some prior budget problems; stated the former City Manager forgot to pay \$1.3 million in debt and also forgot to pay the County for the administration of collecting property taxes; stated using one-time fees for a one time event is appropriate; a 21% reserve is commendable given the changes the City is going through; service cuts are going to be

real and hard for the community; concessions need to be appreciated; the City is very reliant on property taxes as a revenue source; the City will be stuck without diversifying its revenue portfolio; Pleasanton relies less on property taxes.

The City Manager/Executive Director stated the City is over reliant on property taxes; the City has never recovered from the loss of business at the former Naval Air Station; the City can grow at the former Naval Air Station and other commercial, industrial, and office park areas; the Assistant City Manager and Controller worked hard to avoid dipping into the reserves; reserves are a rainy day fund; the economy is the worst since the 1930's; some cities have used reserves during spiking revenue periods; the City needs economic growth.

Vice Mayor/Board Member/Commissioner Bonta thanked staff for all the hard work; stated that he is proud to have a balanced budget and healthy reserve; many past, unhealthy practices are being discontinued; moved adoption of the budget resolutions.

Councilmember/Board Member Johnson stated that she has been reluctant to use one time funds; the City has faced a number of years of bad economy; public services have been severely cut; the use of one time funds is reasonable for now in order to avoid even more cuts; seconded the motion.

Under discussion, Mayor/Chair Gilmore thanked staff for the hard work and willingness to work in a cooperative manner and continuing to enhance the budget format; stated the document is more readable; that she supports using one time funds now but would not support using a significant amount of fund balance to balance next year's budget.

Councilmember/Board Member/Commissioner Johnson stated staff would start working on next year's budget in a few weeks; everyone understands that the process does not end tonight.

The Controller inquired whether direction to raise the Façade Program to \$250,000 is part of the motion or would be done administratively, to which Mayor/Chair Gilmore responded direction has been given to raise the amount.

On the call for the question, the motion on the Proposition 4 Resolution carried by unanimous voice vote – 5.

On the call for the question, the motion on the budget resolutions carried by the following voice vote: Ayes: Councilmembers/Board Members/Commissioners Bonta, Johnson, Tam and Mayor/Chair Gilmore – 4. Abstention: Councilmember/Board Member/Commissioner deHaan – 1.

Councilmember/Board Member/Commissioner deHaan stated next year's budget process needs to start now; the nation is struggling; the City will be feeling the heavy

handed cuts made by the State.

The Assistant City Manager thanked staff for all of the hard work in preparing the budget.

The Controller gave a brief presentation on the Master Fee Resolution.

Speaker: Carol Gottstein, Alameda.

In response to Ms. Gottstein's inquiry, the Police Chief stated the scofflaw fee involves fees issued when a parking ticket is not paid.

Councilmember deHaan moved adoption of the master fee resolution.

Councilmember Tam seconded the motion, which carried by unanimous voice vote – 5.

COUNCIL REFERRALS

(11-344 CC) Discuss and Consider Taking a Position on the Audit Legislation (SB 186, 449; AB 187, 229, 253).

Mayor Gilmore gave a brief presentation.

Councilmember deHaan inquired whether the City Auditor has reviewed the issue, to which Mayor Gilmore stated that she has no idea.

Councilmember deHaan stated the City Auditor should be in the loop.

Councilmember Tam inquired whether the City Auditor is participating through an auditor association group.

The Assistant City Manager responded that she does not know; stated Council adopted a Legislative policy that allows Council to oppose unfunded mandates on the City; Council can comment on the bills if so inclined.

Councilmember Johnson inquired whether the League of California Cities has taken a position on the matter.

The Assistant City Manager responded the League wants the bills to match up with the League's principles.

Councilmember Johnson inquired whether the legislation would apply to Charter cities, to which Councilmember Tam responded two of the auditors are from Charter cities.

Councilmember Johnson stated Charter cities need to be more vigilant about pushing back on Charter authority violations; following up and commenting on the matter would be good and should be brought back to Council.

Councilmember Tam stated that she would like the City Auditor to join with other city auditors to comment on the matter.

The Assistant City Manager stated staff could refer the matter to the City Auditor and send a letter from the Mayor on behalf of the Council with suggestions made by the Berkeley and Oakland City Auditors.

Mayor Gilmore inquired whether the City Auditor could provide an Off Agenda Report, to which the Assistant City Manager responded that she would ask.

The City Manager stated that he would be meeting with the City Treasurer and City Auditor on Friday and would discuss the matter with them.

Vice Mayor Bonta stated having the City Auditor join with other city auditors in creating a course of voices saying the same thing would be powerful; that he would like the City Auditor to sign a letter, if he so agrees.

The Assistant City Manager stated that the City Auditor could be requested to weigh in on the matter.

The Acting City Attorney stated feedback can include language about not applying to Charter cities under the Constitution.

Councilmember Johnson stated other Charter cities should be encouraged to put similar language in their communications; inquired why the State thinks it knows more about budgeting than local governments.

ADJOURNMENT

There being no further business, Mayor/Chair Gilmore adjourned the meeting at 9:38 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk
Secretary, CIC

The agenda for this meeting was posted in accordance with the Brown Act.

UNAPPROVED
SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY- -JULY 5, 2011- - 6:00 P.M.

Mayor Gilmore convened the meeting at 6:00 p.m.

Roll Call – Present: Councilmembers Bonta, deHaan, Johnson, Tam and Mayor Gilmore – 5.

Absent: None.

The meeting was adjourned to Closed Session to consider:

(11-345) Conference with Real Property Negotiators (54956.8); Property: Alameda Marina, 1815 Clement Avenue; Agency negotiator: Nanette Mocanu; Negotiating parties: Pacific Shops, Inc., dba Alameda Marina and City of Alameda; Under negotiation: Price and terms.

(11-346) Conference with Labor Negotiators (54957.6); Agency negotiators: Human Resources Director; Employee organizations: All bargaining units.

Following the Closed Session, the meeting was reconvened and Mayor Gilmore announced that regarding Property, the negotiator briefed Council and received direction; regarding Labor, Council was briefed on Alameda Police Management Association, Alameda Fire Managers Association, and Executive Management Employees.

Adjournment

There being no further business, Mayor Gilmore adjourned the meeting at 7:10 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

UNAPPROVED
MINUTES OF THE SPECIAL JOINT CITY COUNCIL,
COMMUNITY IMPROVEMENT COMMISSION (CIC), AND
HOUSING AUTHORITY BOARD OF COMMISSIONERS (HABOC) MEETING
TUESDAY- -JULY 5, 2011- -6:59 P.M.

Mayor/Chair Gilmore convened the meeting at 7:12 p.m. Commissioner Allen led the Pledge of Allegiance.

ROLL CALL – Present: Commissioner Allen, Councilmembers /
Commissioners Bonta, deHaan, Johnson, Tam and
Mayor/Chair Gilmore – 6.

Absent: None.

ORAL COMMUNICATIONS, NON-AGENDA

None.

CONSENT CALENDAR

Mayor/Chair Gilmore announced that the First Amendment to the Owner Participation Agreement [paragraph no. 11-033 CIC/HABOC] was removed from the Consent Calendar.

Councilmember/Commissioner Tam moved approval of the remainder of the Consent Calendar.

Vice Mayor/Commissioner Bonta seconded the motion, which carried by unanimous voice vote – 6. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*HABOC) Minutes of the Regular Board of Commissioners Meeting held on April 5, 2011. Acceptance is Recommended; and

(*11-031 CIC) Minutes of the Annual CIC Meeting held on June 21, 2011. Approved.

(*11-347 CC/11-032 CIC/HABOC) Recommendation to Approve an Amendment to a \$150,000 Ten-Year Agreement with Resources for Community Development, the Community Improvement Commission, and the Housing Authority to Implement the Housing Authority's Obligations Pursuant to the Declaration of Reciprocal Easements, Covenants, and Restrictions for the Breakers at Bayport Townhomes, Modifying the Consultant Compensation Schedule, and Assigning the Community Improvement Commission's Obligation to Pay Pursuant to the Agreement to the City of Alameda and to have the City Council Accept the Obligation to Pay. Accepted.

(11-033 CIC/HABOC) Recommendation to Approve a First Amendment to the Owner Participation Agreement (OPA) for 2428 Central Avenue, Redirecting the Community Improvement Commission Housing Bond Proceeds to Resources for Community Development for Acquisition of the Property at 2428 Central Avenue, and Amending the Form of the Promissory Note to Increase the Principal Amount from \$1 Million to \$9 Million, and Authorize the Executive Director/Chief Executive Officer to Execute All Required Documents; and

(11-033A CIC) Recommendation to Approve a Form of a Partnership Agreement Between the Housing Authority, RCD Housing, LLC, and 112 Alves Lane, Inc. and Authorize the Chief Executive Officer to Execute the initial Partnership Agreement and the Amended Agreement to Include Additional Limited Partners.

The Acting Legal Counsel stated that the CIC/HABOC action to amend the OPA would not be addressed because of new redevelopment legislation passed last week.

Commissioner Bonta moved approval of the staff recommendation regarding the Partnership Agreement.

Commissioner Tam seconded the motion, which carried by unanimous voice vote – 6.

(HABOC) Resolution No. 833, “Amending the Housing Authority Budget to Increase the Fiscal Year 2012 CIP GF3 Budget by \$93,600 to \$613,141 for the Expansion of the Housing Authority Office Building and Additional Architectural Services (Budget Revision No. 4); Amending and Increasing the Architectural Contract by \$32,800 to \$65,800, Including Contingencies; Awarding the Contract to N.S. Construction and Paining in the Amount of \$580,800, Including Contingencies; and Authorizing the Executive Director to Execute the Contract and Amendment.” Adopted.

AGENDA ITEM

(HABOC) Recommendation to Approve the Housing Commission’s Recommendation to Name the Proposed Affordable Housing Project at 2216 Lincoln Avenue Jack Capon Villa.

The Housing Authority Executive Director gave a brief presentation.

Speakers: Arthur Kurrash, Housing Commission; Bernie Fitzgerald, Alameda Special Olympics; Mathew Fitzgerald, Team of Alameda Special Olympics; Lanay Eastman, Special Olympics; Barbara Capon, Alameda; Darin Lounds, Housing Consortium of the East Bay.

Commissioner deHaan moved approval of the staff recommendation.

Commissioner Johnson seconded the motion, which carried by unanimous voice vote – 6.

ADJOURNMENT

There being no further business, Mayor/Chair Gilmore adjourned the meeting at 7:27 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk
Secretary, CIC

The agenda for this meeting was posted in accordance with the Brown Act.

UNAPPROVED
MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -JULY 5, 2011- -7:00 P.M.

Mayor Gilmore convened the meeting at 7:28 p.m.

ROLL CALL - Present: Councilmembers Bonta, deHaan, Johnson, Tam and Mayor Gilmore – 5.

Absent: None.

AGENDA CHANGES

(11-348) Mayor Gilmore announced that Resolutions of Appointment [paragraph no. 11-353] would be heard after Oral Communications [paragraph no. 11-370].

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY & ANNOUNCEMENTS

(11-349) Proclamation Recognizing Deputy Fire Chief Mike Fisher Upon His Retirement.

Mayor Gilmore read and presented the Proclamation to Mike Fisher.

(11-350) Proclamation declaring July 5th as Alameda South Shore Center Day.

Mayor Gilmore read and presented the Proclamation to Brad Wick, South Shore Center General Manager.

Councilmember Johnson left the dais at 7:37 p.m. and returned at 7:38 p.m.

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ORAL COMMUNICATIONS, NON-AGENDA

(11-351) Roderick Coleman, Alameda, thanked the Housing Authority Executive Director and Councilmember deHaan for help with issues he had at the former Naval Base.

(11-352) Richard Neveln, Alameda, stated the lights shining on the flag are out and should be fixed.

Councilmember Johnson stated someone should be in charge of checking the light bulb.

REGULAR AGENDA ITEM

(11-353) Resolution No. 14584, "Reappointing Peter Horikoshi as a Member of the Civil Service Board." Adopted;

(11-353A) Resolution No. 14585, "Reappointing Linda McHugh as a Member of the Civil Service Board." Adopted;

(11-353B) Resolution No. 14586, "Reappointing Susan T. Deutsch as a Member of the Commission on Disability Issues." Adopted;

(11-353C) Resolution No. 14587, "Reappointing Steve R. Fort as a Member of the Commission on Disability Issues." Adopted;

(11-353D) Resolution No. 14588, "Reappointing Kelly Harp as a Member of the Commission on Disability Issues." Adopted;

(11-353E) Resolution No. 14589, "Reappointing Leslie A. Krongold as a Member of the Commission on Disability Issues." Adopted;

(11-353F) Resolution No. 14590, "Reappointing Audrey Lord-Hausman as a Member of the Commission on Disability Issues." Adopted;

(11-353G) Resolution No. 14591, "Reappointing Cullen L. Jones as a Member of the Housing Commission." Adopted;

(11-353H) Resolution No. 14592, "Reappointing Michael E. Hartigan as a Member of the Library Board." Adopted;

(11-353I) Resolution No. 14593, "Reappointing Gail Wetzork as a Member of the Library Board." Adopted;

(11-353J) Resolution No. 14594, "Reappointing Authur Autorino as a Member of the Planning Board." Adopted;

(11-353K) Resolution No. 14595, "Reappointing Marilyn Ezzy Ashcraft as a Member of the Planning Board." Adopted;

(11-353L) Resolution No. 14596, "Reappointing Gregory L. Hamm as a Member of the Public Utilities Board." Adopted;

(11-353M) Resolution No. 14597, "Reappointing Lola Brown as a Member of the Recreation and Park Commission." Adopted;

(11-353N) Resolution No. 14598, "Reappointing Gina Mariani as a Member of the Recreation and Park Commission." Adopted;

(11-353O) Resolution No. 14599, "Reappointing Cathy Nielsen as a Member of the Social Service Human Relations Board." Adopted;

(11-353P) Resolution No. 14600, "Reappointing Henry Villareal as a Member of the Social Service Human Relations Board." Adopted; and

(11-353Q) Resolution No. 14601, "Reappointing Jeanette Mei as a Member of the Youth Advisory Commission." Adopted.

Councilmember Tam moved adoption of the resolutions.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5.

The City Clerk administered the Oath of Office and presented certificates of appointment to Mr. Horikoshi, Ms. McHugh, Ms. Deutsch, Mr. Fort, Ms. Krongold, Mr. Jones, Mr. Wetzork, Mr. Hamm, and Ms. Mariani.

CONSENT CALENDAR

Mayor Gilmore announced that Bills [paragraph no. 11-355], the Agreement with Holland + Knight [paragraph no. 11-356], the Resolution Approving an Agreement with the California State Coastal Conservancy [paragraph no. 11-362], and the Resolution Authorizing the City Manager to Close City Hall on Fridays [paragraph no. 11-366], were removed from the Consent Calendar for discussion.

Councilmember deHaan moved approval of the remainder of the Consent Calendar.

Councilmember Tam seconded the motion, which carried by unanimous voice vote – 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*11-354) Minutes of the Special and Regular City Council Meetings and Special City Council Meeting held on June 21, 2011. Approved.

(11-355) Bills for Ratification.

Councilmember deHaan stated the amount for consulting services is large; more information should be provided; questioned whether the \$609,719 for PERS Health is for the quarter or year.

Councilmember deHaan moved approval of the staff recommendation.

Councilmember Tam seconded the motion, which carried by unanimous voice vote – 5.

(11-356) Recommendation to Approve an Agreement with Holland + Knight in the Amount of \$144,000 for Federal Legislative Advocacy Services.

The Assistant City Manager gave a brief presentation.

Speaker: Richard Bangert, Alameda.

Councilmember Johnson moved approval of the staff recommendation incorporating Mr. Bangert's suggestion [incorporating wetlands at Alameda Point to the list of priorities, specifically the northwest territories and 400 plus acres that the Veterans Administration would take over and not use for facilities or grounds]; stated Holland + Knight has done

an excellent job for the City; the City would not have received exposure to funding from the federal government without Holland + Knight's assistance.

Councilmember deHaan stated an additional \$4,000 per month was added to the Contract in January 2011; inquired what type of activity has taken place.

The Assistant City Manager responded staff is working on an Office of Economic Adjustment grant for planning at Alameda Point; stated the Mayor had some very productive meetings in January and May; approximately a year and a half ago, Council supported Congresswoman Jackie Spear's bill on wetlands; unfortunately, the bill did not go anywhere; when an issue came up with the Federal Drug Administration regarding closing its office in Alameda approximately two or three years ago, Holland + Knight was able to prevent the closure; the scope of service changes as things come up.

Councilmember deHaan stated Alameda Point was specifically considered when the additional amount was added to the Contract; seconded the motion, which carried by unanimous voice vote – 5.

The City Manager stated three weeks ago, he had a conference call with Holland + Knight regarding preparing for his lobby visit in September.

Vice Mayor Bonta inquired whether the Contract amount would not change by adding the wetlands to the scope, to which the Assistant City Manager responded in the affirmative.

The City Manager stated needs cannot be predicted in the legislative process; adding the wetlands would not be a problem.

Councilmember Johnson stated the list is not limited; Holland + Knight watches out for the City.

Mayor Gilmore stated the City is getting a good value for the money.

(*11-357) Recommendation to Appropriate \$21,484 in Transportation System Management/Transportation Demand Management Fund (Fund 225) and Award a Contract in the amount of \$204,611, Including Contingencies, to transMetro, Inc. for the Estuary Crossing Shuttle Service. Accepted.

(*11-358) Recommendation to Accept the Work of W. R. Forde Associates for the Cyclic Sewer Replacement Project, Phase 8, No. P.W. 01-10-03. Accepted.

(*11-359) Recommendation to Approve a Consultant Agreement with Pacific Waste Services, Inc. for Professional Services to Operate and Maintain the Alameda Doolittle Landfill. Accepted.

(*11-360) Recommendation to Approve a Consultant Agreement with AMEC for

Professional Services to Complete Semi-Annual Field Monitoring, Sampling, and Reporting for the Alameda Doolittle Landfill. Accepted.

(*11-361) Resolution No. 14602, "Authorizing the City Manager to Submit Two Grant Applications to Caltrans for the Cycle 3 Federal Safe Routes to School Program and Execute All Necessary Documents." Adopted.

(11-362) Resolution No. 14603, "Approving an Agreement with the California State Coastal Conservancy for Funding to Implement Spartina Eradication and Mitigation Measures and Authorize the City Manager to Execute All Required Documents." Adopted.

Councilmember deHaan inquired whether treatment would be ongoing.

The City Engineer responded the City and Conservancy have partnered to implement treatment measures for the past six years; the same Contract has been renewed every year; the Conservancy wants a new Contract instead of amending the Contract repeatedly; the Spartina population is down to less than 2%; funds have been budged for two years.

Councilmember deHaan stated the staff report notes that the City would provide up to \$30,000 in staff support, which seems disproportionate to \$60,000 in grants.

The City Engineer stated the amount is higher than might be needed; however, public noticing and labor cross checks might be needed.

Councilmember Johnson stated the program is very good; a large portion of the Bay has been reclaimed through the treatment; the City should continue with treatment and not stop too early.

Councilmember Tam moved adoption of the resolution.

Councilmember Tam echoed Councilmember Johnson's comments; stated the Conservancy enables the City to leverage resources.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5.

(*11-363) Resolution No. 14604, "Approving a Revised Executive Management Compensation Plan for the Period Commencing June 21, 2009 and Ending June 16, 2012." Adopted.

(*11-364) Resolution No. 14605, "Delegating Authority to the City Manager to Act on Behalf of the City Council for Employee Benefit Matters Relating to the California State Association of Counties – Excess Insurance Authority." Adopted.

(*11-365) Resolution No. 14606, "Authorizing an Open Market Purchase Pursuant to

Section 3-15 of the Alameda City Charter for the Purchase of Three Parking Enforcement Vehicles.” Adopted.

(11-366) Resolution No. 14607, “Authorizing the City Manager to Close City Hall and Other City Administrative Offices on Fridays.” Adopted.

The Assistant City Manager gave a brief presentation.

Speaker: Robb Ratto, Park Street Business Association.

Councilmember Tam stated Friday closures could be in perpetuity; the City went to a thirty-six hour, four day workweek for a lot of employees, which has never been reversed and may never be reversed.

The City Manager stated nothing would be permanent; the four day workweek has been the standard for twenty years; no one knows where the City will be in two or three years and whether the four day workweek will still exist; that he believes a real savings would exist by having everyone on the same four day workweek; having an organization fully staffed three days a week is foolish.

Councilmember Tam stated that she is more concerned with the thirty-six hour workweek; the City might not get back to a forty-hour workweek.

The Assistant City Manager stated the issue could be raised during labor negotiations; staff decided to forego raises in favor of the shorter workweek [20 years ago].

Councilmember Johnson stated that she prefers a five day workweek; she would not support the Friday closure if better public service were not provided.

Vice Mayor Bonta stated the proposed Friday closure seems practical and sensible; however, Friday closure would not be crystallized forever and is the best approach under the current circumstances.

Councilmember deHaan stated that he prefers a five day workweek; the Friday closure would provide a savings because of part-time staffing; the five day workweek option should not be taken away; six of the thirteen holidays fall on a Monday; service would be three days per week during a holiday week; that he recommends having the four day workweek be from Tuesday through Friday; that he would like to have further discussion on the matter.

Councilmember Johnson stated the matter has been discussed a number of times over a long period of time; language could be added to the resolution stating that the intent would not be to further support the four day workweek.

Councilmember deHaan inquired how many employees are already on a four day workweek.

The Assistant City Manager responded that she does not have an exact number; stated the vast majority of Management Confidential Employees Association members are on a four day workweek; some Alameda City Employees Association members are on a five day workweek schedule.

Councilmember deHaan suggested having the matter come back to Council for review in six months.

Councilmember Johnson stated the public hardly ever comes to City Hall on Fridays; closing City Hall on Mondays would seem like a three-day workweek.

Councilmember Johnson moved adoption of the resolution with the caveat of adding a statement that the intent is not to re-affirm or strengthen the four day, thirty-six hour workweek concept.

Councilmember Tam stated that she is comfortable with adding said language; staff intends to have significant public outreach before September 9th.

Mayor Gilmore suggested checking on the matter in a year, not six months.

The Assistant City Manager stated the matter could be reviewed as part of the budget next year.

Councilmember Johnson's motion was amended to include Mayor Gilmore's suggestion that the matter come back for review in six months.

Vice Mayor Bonta seconded the motion, which carried by unanimous voice vote – 5.

(*11-367) Introduction of Ordinance Amending Sections 2-1.1 and 2-1.5 of Article I (The City Council and Meetings of the City Council) of Chapter II (Administration) to Modify the Meeting Time and Deadline for Submission of Matters. Introduced.

REGULAR AGENDA ITEM

(11-368) Public Hearing to Consider Resolution No. 14608, "Approving Tentative Parcel Map 10006 (File No. PLN11-0077) at 2601 to 2901 Harbor Bay Parkway." Adopted.

The Planning Services Manager gave a brief presentation.

Councilmember deHaan inquired how much SRM Associates paid per acre, to which Joe Ernst, SRM Associates, responded that he would provide information.

Councilmember Tam moved adoption of the resolution.

Councilmember Johnson seconded the motion, which carried by unanimous voice vote

CITY MANAGER COMMUNICATIONS

(11-369) Operational Update on the Fire Department's Water Rescue, Commercial Inspection, and Senior Safety Programs

The Fire Division Chief gave a brief presentation.

Councilmember Tam inquired how long it would take to get the 14-foot inflatable boat ready and deployable.

The Fire Division Chief responded the boat is on a trailer and permanently attached to a tow vehicle; stated the boat would have a fifteen-minute response time anywhere in Alameda.

Councilmember Tam stated past discussions have involved marinas providing the Fire Department with access to a berth; inquired whether future inflatable boats could be stationed near houseboat areas.

The Fire Division Chief responded previously, the Fire Department had rigid hull inflatable boats in addition to the fire boat; having inflatable boats near houseboat areas would be a great idea as the budget allows.

Councilmember deHaan inquired how much the 14-foot inflatable boat cost, to which the Fire Division Chief responded \$13,000.

Councilmember deHaan inquired whether the Fire Department would consider purchasing additional boats, to which the Fire Division Chief responded in the affirmative, if resources allow.

The City Manager stated the 14-foot inflatable boat was purchased on his authority within existing budget allocations; purchasing additional boats would be difficult considering the budget that was just passed; Councilmember deHaan is working with the Interim Fire Chief on a donation of another boat.

Vice Mayor Bonta thanked staff for moving the programs forward; stated the approach to the Senior Safety Program is a great; inquired whether the inflatable boat has wheels that would allow a fire fighter to pull the boat down to the shoreline, to which the Fire Division Chief responded in the affirmative.

Vice Mayor Bonta inquired how many inflatable boats would be optimal and at what locations.

The Fire Division Chief responded that he would have to defer to the Water Rescue Program Committee.

The City Manager stated staff could come back with an answer in sixty days when the possible donation of a second boat would be known.

Councilmember Johnson stated the Coast Guard and the East Bay Regional Park District are other resources; additional resources should be identified.

Councilmember Tam stated the [Fire Department] General Operations Bulletin, which addresses water rescue operations, requires periodic training exercises involving the Coast Guard, Police Department, and other agencies; that she is not concerned with buying a boat, but is concerned with maintenance; the last boat ended up dry docked.

The Fire Division Chief noted the last boat was built in 1974 and was purchased for \$1 from the Coast Guard.

Councilmember deHaan inquired whether a Zodiac type boat has been available to the Fire Department in the past.

The Fire Division Chief responded the Fire Department had a rigid hull inflatable boat; stated recently, a 24-foot boat has been decommissioned; the boat was very time consuming.

Speaker: Jon Spangler, Alameda.

The City Manager stated staff has retained the services of retired State Fire Marshall Ruben Grijalva to conduct a formal, independent review regarding facts and circumstances of the Crown Memorial Beach incident; the Crown Memorial Beach issue implicates both Police and Fire service; Chief Grijalva is the only person in the history of California to hold the job of State Fire Marshall and Director of California Department of Forestry and Fire; Chief Mr. Grijalva's credentials are impeccable; some people believe that a citizen commission should be formed; such a commission is not a recipe for discovering the truth but is a recipe for grand standing, politics, and a series of facts that may be facts or may support pre-existing conclusions about direction the City should take; the City is taking the approach to hire the most qualified person available; the marching orders are to conduct a review of how Alameda got to Crown Memorial Beach that day and to look at the history; having a set of common facts is important; the report will include a minute by minute chronology of what took place on Memorial Day; a report will be prepared examining the steps that have been taken since Memorial Day and to advise about potential weaknesses; the investigation will not be a determination whether or not Alameda needs to have its own water rescue capacity; a decision has already been made in the affirmative; the public will have at least twelve days to examine the public report; the report will be online and in the Council packet twelve days prior to the Council meeting; Chief Grijalva will be in a position to react to public comment; the selection process has involved speaking to people in various organizations, the Oakland fire service, online research, and a personal interview; Chief Grijalva will be paid \$195 per hour; Chief Grijalva estimates the report will take 100

hours; that he thinks the report will take longer in order to produce a detailed document; he is confident Chief Grijalva will do a great job.

Mayor Gilmore thanked the City Manager for the chronology.

Councilmember deHaan stated incident reports have been done in the past; that he is glad that everyone will be given the opportunity to review the matter; now is the time for reflection, which is called a stand down in the military; all safety and labor operations are reviewed in a stand down; a thorough review is needed to provide opportunities to improve all aspects of the Fire and Police Departments; Chief Grijalva would bring all information to the table, but action might be needed afterwards.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

None.

COUNCIL COMMUNICATIONS

(11-370) Consideration of Mayor's Appointment to the Rent Review Advisory Committee.

Mayor Gilmore appointed Natascha H. Fraser.

(11-371) Councilmember deHaan stated that he attended the Associated Community Action program (ACAP) Board Meeting last Thursday; closure has been extended to September; Alameda County has audited the books; the audit should be made public in three to four weeks; action was taken to obtain legal support for a lawsuit submitted by the Executive Director, any legal action would cost more money.

Councilmember Johnson inquired whether County liability is still being investigated, to which Councilmember deHaan responded the audit would provide more clarification.

ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 8:52 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.